

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

IN RE:	)	
	)	Chapter 7
SAVANNA DEPOT TECHNOLOGIES	)	
CORPORATION,	)	Case No. 06-70143
	)	
Debtor.		

**MOTION PURSUANT TO 11 U.S.C. §105 TO AUTHORIZE**  
**FILING OF FINAL REPORT AND PAYMENT OF**  
**ADMINISTRATIVE AND PRIORITY CLAIMS**

NOW COMES THOMAS J. LESTER, Trustee of the Bankruptcy Estate of Savanna Depot Technologies Corporation, and as his Motion to Authorize Filing of Final Report and Payment of Administrative and Priority Claims, states as follows:

1. On February 7, 2006, the Debtor filed a Petition for Relief under Chapter 7 of the United States Bankruptcy Code.
2. Thomas J. Lester is the duly appointed and acting Chapter 7 Trustee of the above-captioned matter.
3. The Trustee has liquidated all of the Assets of the Estate.
4. The bar date to file claims was November 29, 2006.
5. The Trustee has reviewed all claims filed and on February 9, 2009, obtained an Order denying certain claims and allowing Claim No. 15 as a priority claim in the amended amount of \$10,000, and as an unsecured claim in the amended amount of \$6,340.43.
6. The Trustee is prepared to submit his Final Report, except for the resolution of certain issues relating to tax liabilities and the filing of tax returns.
7. On April 4, 2007, the Trustee obtained an Order allowing him to retain Patrick T. Shaw and the accounting firm of RSM McGladrey, Inc. as his accountants to prepare and file Estate Tax Returns.

8. The Trustee is unable to provide his accountants with the business records and tax returns needed to prepare and file Estate Tax Returns.

9. On the date the Trustee was appointed to this case, the principals of the Debtor could not be located, the only unsecured property listed in the Petition recoverable for the Estate consisted of some minor assets and a nominal cash balance in the Debtor's corporate bank account, and the only tax return in the possession of Debtor's counsel was the federal tax return the Debtor filed for year 2003.

10. The Debtor failed to file tax returns for years 2004 and 2005.

11. The Trustee is unable to locate any information relating to federal or state taxes the Debtor paid in years prior to year 2003.

12. The last Balance Sheet the Trustee recovered is for the fiscal year ending September 30, 2004. As of that date, the Debtor reported several million dollars in assets.

13. The Trustee has no business records after fiscal year 2004 through the date of the bankruptcy filing on February 7, 2006 to provide to his accountants.

14. The Trustee's accountants are unable to prepare and file Estate Tax Returns without business records.

15. The funds on deposit in the trust account for the Estate total \$28,780.69.

16. The IRS filed an allowed priority claim against the estate in the amount of \$509.53.

17. No other taxing authority filed a claim against the estate.

18. Sean Loeberg filed an allowed priority claim against the estate in the amount of \$10,000.00.

**WHEREFORE**, Thomas J. Lester, Trustee of the Bankruptcy Estate of Savanna Depot Technologies Corporation, respectfully requests that this Court enter an Order granting the following relief:

- a. Authorizing the Trustee to file a Final Report proposing to pay allowed administrative expenses, then the allowed priority claims, followed by payment of all remaining funds in the trust account pro-rata to the holders of allowed unsecured claims;
- b. Holding the Estate and the Trustee harmless from any further liability for the payment of taxes to any taxing authorities;
- c. Holding the Estate and the Trustee harmless from the filing of any Estate tax returns; and
- d. For such and other relief as this Court deems just and equitable.

Dated: January 5, 2010

Respectfully Submitted,

THOMAS J. LESTER, Trustee

BY: HINSHAW & CULBERTSON LLP

BY: /s/Thomas J. Lester  
Thomas J. Lester  
One of His Attorneys

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